



Los Angeles County
Department of Regional Planning


Planning for the Challenges Ahead



Richard J. Bruckner
Director

May 15, 2014

TO: Hearing Officer

FROM: Jeantine Nazar 
Zoning Permits East Section

SUBJECT: **Project No. R2013-00430 – (5)**
Oak Tree Permit No. 201300008
Plot Plan No 201300154
HO Meeting: May 20, 2014
Agenda Item: 7

The above-mentioned item is a request to authorize a retroactive oak tree permit associated with a grading project. This item was scheduled for a denial due to inactivity on April 15, 2014. The applicant has filed for an initial study and staff recommended continuing the case to May 20th in order to obtain additional information to complete the initial study and to determine the project scope.

Site Visit

Staff visited the subject property on April 21, 2014. The arborist Ted Lubeshkoff and the owner were present during the site visit. The subject property contains an existing 3,813 square-foot two-story single-family dwelling. The single-family dwelling sits on an existing level pad cut into slopes greater than 25 percent within a hillside management area. There is a second proposed level pad at the rear of the house, which incorporates cuts from the unpermitted grading.

There are eight (8) protected coast live oak trees (*Quercus agrifolia*) within the remedial grading areas. The owner explained that the grading was done around the proposed pad areas. According to the owner there has not been an off-site transport, but the soil from cut areas was removed and disposed around the proposed pad areas; therefore, causing soil erosion on the east and south sides of the property during rainy season. The oak trees on the east side (Oak Tree Numbers 1, 2 and 3) and the oak trees on the south side (Oak Tree Numbers 4, 5, 6) experienced a significant level of grade raise due to soil disposal in these areas. Oak Tree Number 7 on the top of the eroded slope, on the north side of the property experienced a significant loss of soil level due to the unpermitted grading. The applicant proposes a retaining wall below the root zone of Oak Tree Number 7 to stabilize the slope. All of the seven (7) oaks except Oak Tree Number 8 have been impacted by the retroactive grading.

There are two existing retaining walls on the subject site; the first is located along New York Drive and Eaton Canyon Drive on the south side of the property, the second retaining wall is located on the north side next to the existing house pad. The applicant proposes three additional retaining walls, which include one on the south side of the property and two on the north side. The arborist indicated that he would like to eliminate the retaining wall on the south side, which is crossing Oak Tree Number 3. The applicant intends to return the initial natural grade levels and plant vegetation, in order to compensate and restore for what has been lost on the east and south sides. This may result in maintaining Oak Tree Number 3.

Forester's Report

The Oak Tree report dated January 10, 2013 proposed one oak tree removal and six encroachments within the remediation area. However, the arborist would like to revise the report to provide seven encroachments and no removals. Staff has received comments from the Forester requesting that the applicant submit a revised oak tree report indicating clearly the scope of the project and the oaks being impacted.

DRP Biologist Recommendation

Staff consulted with the Department of Regional Planning biologist. The Department's biologist recommended that the applicant submit a habitat restoration plan which will compensate for what has been lost in terms of grading, shrubs, and native plants. The plans shall include the irrigation plan and the natural drainage. The habitat restoration plan shall be submitted prior to the issuance of a grading plan.

Additionally the Department's biologist requested a revised site plan depicting additional details. Staff sent an email on April 30, 2014 and a letter on May 12, 2014 to the applicant requesting the additional information. Please find a copy of the letter for your review.

Additional Concerns

The subject property is zoned R-1-40,000 requiring one single-family dwelling on a minimum of 40,000 square-foot lot area. The owner intends to build a second unit on the subject site. Staff discussed code requirements to construct a second unit with the applicant. If the owner intends to purchase additional land to build another single-family dwelling the owner shall first consult with Regional Planning and Public Works to verify grading and access issues on the site, prior to proposing additional structures.

Staff Recommendation

Staff recommends that the case be continued for the applicant to provide the additional item numbers 1 and 2 as indicated in the letter dated May 12, 2014 in a timely manner. Once the site plan and plan description is deemed complete, the applicant shall provide a habitat restoration plan and a revised oak tree report for the Department's biologist and Forester's review. The applicant also shall provide additional items required by other agencies as a result of initial study consultation.

If you need further information, please contact Jeantine Nazar at (213) 974-6435 or jnazar@planning.lacounty.gov. Department office hours are Monday through Thursday from 7:00 a.m. to 6:00 p.m. The Department is closed on Fridays.



2014

Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

Jin Hae Lew
2831 Eaton Canyon Drive
Pasadena, Ca 91107

SUBJECT: INCOMPLETE APPLICATION: REQUEST FOR ADDITIONAL INFORMATION

Project: R2013-00430 – (5)
Case: Oak Tree Permit No. 201300008
Plot Plan No: 201300154
Address (APN): 2831 Eaton Canyon Drive (APN: 5860-040-019)

Dear Agent/Applicant:

The Los Angeles County ("County") Department of Regional Planning is currently reviewing the project identified above and has determined that the project file is incomplete and additional information is required before we can proceed with your application. Please submit the following items:

1. Provide a complete project description and project scope. Please note a "Project" means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment (CEQA 2014 Chapter 2.5 Section 21065).
2. Please revise the site plan to include the following items:
 - a. The location of the existing and proposed pads;
 - b. Show the location of the replacement trees, if any
 - c. Depict the impact foot prints as a result of grading and retaining walls, another words illustrate the project impact areas;
 - d. Show trees, canopies, protected zones;
 - e. Show with symbols which trees are impacted, which removed and which are not impacted;
 - f. Show the impact areas of woodlands in all the impact areas;
 - g. If you would like to return the grading on the south and east side of the property to its natural settings, please provide a grading plan showing the initial grading lines, existing and proposed grade levels;
 - h. Please note grading shall minimize disturbance to the natural landform, not to destroy visual quality and community character, nor create conditions that result in landslides, flooding or erosion.
3. A habitat restoration plan will be required to compensate for what has been lost in terms of grading, shrubs and native plants. The plans shall include the natural drainage and irrigation on the site.

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PROJECT REPRESENTATIVE: JIN HAE LEW
INCOMPLETE APPLICATION: REQUEST FOR ADDITIONAL INFORMATION
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4. Please submit a revised oak tree report to include a complete project scope and project description and the oaks being impacted.
5. The applicant shall consolidate the project proposal prior to submitting the additional items. The restoration plan and the revised oak tree report shall include any proposed and future planned structures on the site.

Failure to disclose all pertinent information for consideration in the review of this case could result in delays, continuation of public hearings, or additional costs. Additional materials may also be required pending the outcome of consultation with other agencies. Any zoning violations on the property discovered after the filing of this case may affect the scheduling of a public hearing pursuant to the provisions of Section 22.04.110 of the County Code.

Please provide the above-requested items within 60 days of the date of this letter. If no activity occurs within 60 days of this letter, your project may be scheduled before a Hearing Officer. Pursuant to Section 22.56.060 of the County Code (Zoning Ordinance), the Hearing Officer may deny, without public hearing, an application for a conditional use permit if such application does not contain the required information contained in Sections 22.56.030 and 22.56.040 of the County Code.

For questions or for additional information, please contact Jeantine Nazar of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner

Jeantine Nazar, RPAII
Zoning Permits East Section

c: Applicant; Owner

MM: JN